



faegredrinker.com

Susan M. Sharko
Partner
susan.sharko@faegredrinker.com
973-549-7350 direct

Faegre Drinker Biddle & Reath LLP
600 Campus Drive
Florham Park, New Jersey 07932
+1 973 549 7000 main
+1 973 360 9831 fax

Via ECF

March 19, 2024

Honorable Rukhsanah L. Singh, U.S. Magistrate Judge
United States District Court- District of NJ
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Court Room 7W
Trenton, NJ 08608

Re: *In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation - MDL 2738*
This document relates to: Teresa Allen v. Johnson & Johnson, et al. Docket No.: 3:17-cv-12473

Dear Magistrate Judge Singh:

The Johnson & Johnson defendants write in opposition to the request of plaintiff, Teresa Allen, (Doc. No. 29299), filed on March 7, 2024. Plaintiff seeks this Court's permission to dismiss her MDL action, allowing her to proceed against these defendants in the New Jersey state court matter. Plaintiff filed her MDL action on December 4, 2017 and filed her state court action on July 30, 2020. Defendants oppose this request.

Plaintiff asserts in her request she "inadvertently" filed two actions without any explanation as to how such occurred. Without further explanation as to why plaintiff filed a separate action in New Jersey state court, nearly three years after filing in this MDL, it is defendants' belief that plaintiff simply seeks to change venues in hopes of greener pastures. Defendants object to this gamesmanship. Plaintiff, a resident of Virginia, filed first in this MDL, and she should be bound by such a decision. Permitting plaintiff in this matter to simply dismiss her MDL case and continue on with her state court matter will only serve to open the flood gates to countless plaintiffs who will attempt to repeat this action. Defendants ask that the Court reject plaintiff's request.

Hon. Paul L. Friedman, Senior U.S. Magistrate Judge

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Thank you for your consideration of these matters.

Respectfully,

/s/ Susan M. Sharko

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FAEGRE DRINKER BIDDLE & REATH LLP

SMS/scg

cc: All counsel of record (via ECF)